

**HEARING OFFICER, CAREER SERVICE BOARD  
CITY AND COUNTY OF DENVER, COLORADO**  
Appeal No. 48-09

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**DISMISSAL ORDER**

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IN THE MATTER OF THE APPEAL OF:

**LORRAINE BAROS,**  
Appellant,

vs.

**DEPARTMENT OF GENERAL SERVICES, FACILITIES MANAGEMENT,**  
and the City and County of Denver, a municipal corporation, Agency.

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Appellant was previously ordered to show cause why this appeal should not be dismissed as untimely. The Agency responded to the Order on June 16, 2009. Appellant's response was due on or before June 19, 2009. Appellant has failed to respond to the Show Cause Order or file a request for extension of time within which to do so.

Factual Background

By letter dated May 20, 2009, Appellant was notified that she was suspended without pay for twenty working days, from May 25, 2009 to June 22, 2009. The notice was sent by regular mail on May 20, 2009 to Appellant's home address, and was also hand-delivered to Appellant on that date. [Appeal attachment; Agency Response, Exh. A.]

On the appeal form, Appellant specifically addresses the timeliness issue. Appellant states therein that she believed that she had fifteen business days to file her appeal rather than the fifteen calendar days specified in CSR § 19-20 A.1.b.


Analysis and Order

Appellant was advised in the suspension notice that the right to appeal arose under Career Service Rule 19. The rule requires an appeal of a suspension to be filed within fifteen calendar days after the date of notice of the suspension, which in this case is the date on the certificate of hand delivery and of mailing of the notice by U.S. mail. Here, the certificate is dated May 20, 2009,

which means the appeal was due on or before June 4, 2009. The appeal was filed on June 12, 2009, twenty-three calendar days after date of the notice.

Appellant failed to file a timely appeal under CSR § 19-20. Accordingly, the appeal is dismissed as untimely.

Done this 23<sup>rd</sup> day of June, 2009.

  
Valerie McNaughton  
Career Service Hearing Officer

I hereby certify that a copy of this order was sent on June 23, 2009 to the following:

Ms. Lorraine Baros, <a href="mailto:goldenfoxes@comcast.net">goldenfoxes@comcast.net</a>	(via email)
Denver City Attorney's Office, <a href="mailto:dlefilings.litigation@denvergov.org">dlefilings.litigation@denvergov.org</a>	(via email)
Kevin Patterson, Mgr. Gen.Svc., <a href="mailto:Kevin.Patterson@denvergov.org">Kevin.Patterson@denvergov.org</a>	(via email)
James Williamson, Ass. Dir., <a href="mailto:James.Williamson@denvergov.org">James.Williamson@denvergov.org</a>	(via email)

